



CDSS

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July 31, 2018

PIN 18-10-CRP
(Superseded by PIN 19-04-CRP)
(Supersedes PIN 17-03-CRP)

TO: ALL LICENSED FOSTER FAMILY AGENCIES
ALL LICENSED ADOPTION AGENCIES
ALL CHILDREN'S RESIDENTIAL PROGRAM STAFF
ALL CDSS ADOPTION REGIONAL AND FIELD OFFICES

FROM: *Original signed by Pamela Dickfoss*
PAMELA DICKFOSS
Deputy Director
Community Care Licensing Division

SUBJECT: **RESOURCE FAMILY APPROVAL PROGRAM - CONVERSION OF
CERTIFIED FAMILY HOMES TO RESOURCE FAMILIES**

Provider Information Notice (PIN) Summary

This PIN ***supersedes PIN 17-03-CRP and*** provides ***updated*** information and guidance on how to work with certified family homes to obtain Resource Family Approval through the conversion process.

The purpose of this PIN is to provide foster family agencies, licensed adoption agencies, and other interested stakeholders with ***updated*** information on the conversion process of all current certified family homes (CFHs) for the mandated statewide implementation of Resource Family Approval that became effective on January 1, 2017. In order to care for or continue to care for a child or nonminor dependent, Health and Safety Code section 1517 requires that all CFHs must be approved as Resource Families no later than December 31, 2019. ***The updates to the conversion process include: reviewing the CFH case record and taking into consideration the outcome of closed, pending or current investigations or administrative actions; allowing a foster family agency (FFA) to count an inspection of a CFH, that meets the requirements specified below, towards one of the two face-to-face interviews that are required with an applicant for the family evaluation; and instructions for homes certified on or after January 1, 2018.*** This PIN also provides instructions for foster family agencies that choose not to approve

Resource Families.

This PIN describes the conversion process as follows:

- CFHs with an approved adoption home study (see page three).
- CFHs ***that had*** a child or nonminor dependent in placement ***or provided county authorized respite services*** at any time during calendar year 2017 (see page four).
- ***CFHs certified on or after January 1, 2018 (see page seven).***
- CFHs ***that did not have*** a child or nonminor dependent in placement ***or did not provide county authorized respite services*** at any time during calendar year 2017 (see page ***seven***).

RESOURCE FAMILY APPROVAL IMPLEMENTATION PLAN AND CONVERSION PLAN

A FFA may begin converting its CFHs to Resource Families upon the Department's approval of the FFA's Resource Family Approval Implementation Plan and Conversion Plan contained in the FFA's program statement.

NOTIFICATION TO CFHS

No later than July 1, 2017, ***FFAs were required to*** provide the following information to ***their*** CFHs:

- A detailed description of the Resource Family Approval Program.
- Notification that in order to care for or continue to care for a child or nonminor dependent placed by a public or private placement agency, Resource Family Approval is required by December 31, 2019.
- Notification that a certificate of approval shall be forfeited by operation of law on December 31, 2019, except as follows:
 - All CFHs that did not have a child in placement during the calendar year 2017, shall forfeit the certificate of approval by operation of law on January 1, 2018.
 - For CFHs with a pending Resource Family application on December 31, 2019, the certificate of approval will remain in effect until the date of Resource Family approval. If the approval is denied, the certificate of approval shall be forfeited by operation of law on the date of completion of any proceedings required by law to ensure due process.
 - A certificate of approval shall be forfeited upon approval as a Resource Family.
- If a FFA chooses not to approve Resource Families, then in addition to the information above, notification that, in order to care for a child or nonminor dependent after December 31, 2019, a CFH is required to submit an application

for Resource Family Approval to the county in which the home is located or to a FFA that approves Resource Families.

CFHS WITH AN APPROVED ADOPTION HOME STUDY

A CFH shall be deemed a Resource Family upon confirmation by the FFA that (1) the CFH has an approved adoption home study that was completed prior to January 1, 2018, and (2) that the home study has been updated pursuant to [Title 22, Division 2, Subdivision 4, Chapter 3, Subchapter 5, Article 11, Section 35183.1](#). These homes are not required to have a child or nonminor dependent in placement during the calendar year 2017 in order to officially change their status to a Resource Family.

The following shall occur to officially change the status of a CFH ***with an approved adoption home study*** to Resource Family:

- The prospective Resource Family shall submit a completed form [LIC-00 Conversion of Existing Families: Release of Information](#) to the CDSS Adoption Regional Office or licensed adoption agency.
- Within 20 calendar days of receiving the [LIC-00](#), the CDSS Adoption Regional Office or licensed adoption agency shall disclose an adoption home study and any updates to an adoption home study to the FFA.
 - ***Closed adoption home studies may not be released to a FFA for deeming or conversion purposes under any circumstances, even if the CFH submits a completed form LIC-00. A “closed adoption home study” means the adoption has finalized, the family was not interested in keeping their home study open, and the No Longer Interested (NLI) form has been submitted to the California Department of Justice to stop receiving the subsequent arrest notifications for the family.***
 - The CDSS Adoption Regional Office or licensed adoption agency shall redact the names of foster children including the child to be adopted and other identifying information from the adoption home study and any updates to an adoption home study.
 - Adoption files for the family and the child(ren) shall remain with the adoption agency and adhere to adoption laws and regulations pertaining to content and storage.
- If an individual was certified before January 1, 1999, the FFA shall complete a new Child Abuse Central Index (CACI) check for the individual in order to receive subsequent CACI reports. ***The individual must re-fingerprint using the Resource Family applicant type (“RESRCE FAM PER 16519.5WI”) on the form [BCIA 8016 Request for Live Scan Service](#).***
- Upon approval, the FFA shall issue a Resource Family Approval Certificate ([LIC 05A](#) or equivalent) and include the date the family was approved as a Resource Family ***and any conditions placed on the approval, if applicable***. The approval date begins the period for annual updates.

- Once a Resource Family Approval Certificate has been issued, the FFA shall notify the CDSS Adoption Regional Office or licensed adoption agency. The CDSS Adoption Regional Office or licensed adoption agency shall terminate the Department of Justice notifications related to the family using the No Longer Interested notification form. The CDSS Adoption Regional Offices and licensed adoption agencies should adhere to regular record retention policies in case of an audit.
- A FFA shall **use the FFA Web Application to report to the Department** CFHs that have been approved as a Resource Family as specified in [Section 88361 of the FFA Interim Licensing Standards](#). Instructions for how to convert a CFH to a resource family home in the FFA Web Application can be found in the [FFA Web Application User Guide](#).
- Once a CFH is approved as a Resource Family, their certificate of approval shall be forfeited by operation of law.

In cases where a CFH was referred to a CDSS Adoption Regional Office or licensed adoption agency to complete the adoption home study, the referring FFA shall retain authority and oversight responsibilities of the Resource Family.

CONVERSION OF CFHS THAT HAD A CHILD OR NONMINOR DEPENDENT IN PLACEMENT OR PROVIDED RESPITE SERVICES AT ANY TIME DURING CALENDAR YEAR 2017

For CFHs ***that had*** a child or nonminor dependent placed in their home ***or provided county authorized respite services*** at any time during calendar year 2017, the following shall be completed to convert to a Resource Family:

- The prospective Resource Family shall submit form [LIC-00A Conversion-Resource Family Application](#) and show proof of identity.
- ***A FFA shall review all documents submitted by the CFH and maintained in the CFH case record as applicable, prior to conducting the family evaluation. If a FFA is aware of or the review of the case record documentation indicates there is a closed, pending or current complaint investigation, serious incident investigation, or administrative action against the CFH, the FFA should refer to the “Conversion Practice Considerations” identified below.***
- Conduct a ***family evaluation*** pursuant to [FFA Interim Licensing Standards section 88331.5](#).
 - ***An inspection that occurred on or after January 1, 2016, may count towards one of the two required face-to-face interviews with an applicant if all the following conditions are met:***
 - The FFA completed the inspection of the CFH during the annual recertification as specified in [Health and Safety Code section 1534\(b\)\(2\)\(A\)](#) on or after January 1, 2016.***
 - The date the FFA met face-to-face with the certified parent during the inspection is documented in the CFH case record.***

3. ***Information obtained during the inspection is available and has been reviewed by the FFA social work personnel completing the conversion process to assist with obtaining the necessary information for the family evaluation.***
- ***In cases in which there are more than one certified parent applying for conversion, the following shall apply:***
 1. ***If both certified parents were present during the inspection specified above, the inspection may count towards the required joint interview. A separate interview with each applicant shall be completed.***
 2. ***If only one certified parent was present during the inspection specified above, the inspection may count towards their individual interview. A separate interview with the other certified parent and a joint interview with both applicants shall be completed.***
 - ***A FFA may require additional interviews, if deemed necessary, to address information obtained during the inspection or to obtain all the information required for the family evaluation.***
 - In cases in which only one member of a family was certified, and another family member now wants to be approved as a Resource Family, the individual who is not a certified parent will need to complete the Resource Family Approval process as a new applicant.
 - It is best practice to approve both individuals as the Resource Family, if possible. This allows both caregivers to adopt or provide guardianship to a child in their care.
- Ensure each caregiver and adult residing in or regularly present in the home has a current criminal record clearance or exemption, and the subsequent arrest notification is still open and active. If not, then the FFA shall complete a background check for that individual pursuant to the [FFA Interim Licensing Standards section 88331.3](#).
 - If an individual was certified before January 1, 1999, the FFA shall complete a new CACI check for the individual in order to receive subsequent CACI reports. ***The individual must re-fingerprint using the Resource Family applicant type ("RESRCE FAM PER 16519.5WI") on the form BCIA 8016 Request for Live Scan Service.***
 - Complete a Resource Family Written Report for conversion using form RFA-05C or an equivalent report that includes the content contained in form RFA-05C.
 - ***Information about a CFH obtained from an inspection, as specified above, shall be incorporated in the Written Report for conversion.***
 - ***The FFA may use information about the CFH obtained through visits to the family or interviews of the family by social work personnel, or***

other information that exists in the CFH case record and incorporate it in the Written Report for conversion.

- Upon approval, the FFA shall issue a Resource Family Approval Certificate ([LIC 05A](#) or equivalent) and include the date the family was approved as a Resource Family ***and any conditions placed on the approval, if applicable.*** The approval date begins the period for annual updates.
- A FFA shall ***use the FFA Web Application to report to the Department*** CFHs that have been approved as a Resource Family as specified in [Section 88361 of the FFA Interim Licensing Standards](#). Instructions for how to convert a CFH to a Resource Family home in the FFA Web Application can be found in the [FFA Web Application User Guide](#).
- Once a CFH is approved as a Resource Family, their certificate of approval is forfeited by operation of law.

If an adoption home study as outlined in the [Title 22, Division 2, Adoption Manual sections 35179-35183](#) is completed for these CFHs after January 1, 2018, then a FFA may use it to meet the family evaluation and Written Report for conversion. Within the adoption home study process there is an assessment of the applicants and of other people residing in the home, which is sufficient to meet the family evaluation and Written Report for conversion.

If a converted Resource Family indicates they would like to adopt a child in their care or adopt another prospective child, the FFA shall require the Resource Family to submit fingerprints ***under the Resource Family applicant type (“RESRCE FAM PER 16519.5WI”)*** for a new federal and state level criminal record clearance pursuant to Family Code section 8712. The FFA shall then update the Written Report to consider the criminal history of the Resource Family, including the effects of any criminal history on the ability of the Resource Family to provide adequate and proper care and guidance to the child to be adopted.

PENDING CFH APPLICATIONS RECEIVED ON OR BEFORE DECEMBER 31, 2016

Foster family agencies were authorized to accept CFH applications only until December 31, 2016 and are required to either approve or deny these applications in accordance with the laws applicable to CFHs. If the FFA approves the application, then the applicant shall be certified as a CFH. If an application is pending because of a criminal record exemption request, then a FFA may approve the application only after receipt of an exemption granted notice. In the event that a criminal record exemption is denied, and the applicant chooses not to appeal, then the application must be denied. If the individual chooses to appeal an exemption denial, a certificate of approval may only be granted after a final Decision and Order is issued by the Department granting the exemption.

For these CFHs who received their certificate of approval on or after January 1, 2018, the FFA shall concurrently provide the CFHs with the following information:

- ***A detailed description of the Resource Family Approval (RFA) program.***
- ***Notification that in order to care for, or continue to care for, a child or nonminor dependent placed by a public or private placement agency, court order, or voluntarily placed by a parent or guardian, Resource Family Approval is required by December 31, 2019.***
- ***Notification that a certificate of approval shall be forfeited by operation of law on December 31, 2019, except as follows:***
 - ***If the conversion to a Resource Family has begun but has not been completed by December 31, 2019, the certificate of approval will remain in effect until the date of RFA or on the date of completion of due process for a denied application.***
- ***A certificate of approval shall be forfeited upon approval as a Resource Family.***

CONVERSION OF HOMES CERTIFIED ON OR AFTER JANUARY 1, 2018

For CFHs certified on or after January 1, 2018, a FFA shall complete the conversion requirements as specified above in the section entitled “Conversion of CFHs that had a Child or Nonminor Dependent in Placement or Provided Respite Services at Any Time During Calendar Year 2017.”

CFHS THAT DID NOT HAVE A CHILD OR NONMINOR DEPENDENT IN PLACEMENT OR DID NOT PROVIDE RESPITE SERVICES AT ANY TIME DURING CALENDAR YEAR 2017

On January 1, 2018, the certificate of approval of all CFHs that **did** not have a child or nonminor dependent in placement **or did not provide respite services** at any time during calendar year 2017 have been forfeited. A FFA **may use the FFA Web Application to report to the Department** all CFHs, whose certificate of approval **was** forfeited by operation of law on January 1, 2018, as specified in [Section 88061](#). Instructions for how to decertify a CFH in the FFA Web Application can be found in the [FFA Web Application User Guide](#).

On and after January 1, 2018, if the family is interested in providing care again for a child or nonminor dependent, they will need to submit an application for Resource Family Approval to a county or FFA approving Resource Families and complete the entire Resource Family Approval process.

CONVERSION PRACTICE CONSIDERATIONS

There is no requirement as to which CFHs shall be converted to Resource Families first; however, prioritization is helpful to ensure all CFHs will be converted to Resource Families by December 31, 2019. Each FFA should consider the various levels of permanency when determining the conversion priority.

A FFA may consider converting CFHs to Resource Families in the following order:

1. CFHs with foster children who will be moving towards permanency with the current caregiver ***and intend to continue caring for other children or nonminor dependents in the foster care or probation system.***
2. CFHs with placements in which reunification will not be occurring soon.
3. ***CFHs*** who are caring for children in which reunification will be soon, and who do not intend to care for other children.

Additionally, FFAs may consider waiting to convert CFHs with pending or current complaint investigations, serious incident investigations, or administrative actions until after the investigation or administrative action has concluded. This will ensure that CFHs who may pose health and safety risks to children are not converted to Resource Families until the investigation has been completed by the Department and reviewed by the FFA or due process for the administrative action has occurred.

If a CFH is on probation with the Department, this may be considered by a FFA during the family evaluation as relevant to the determination of whether the CFH meets all standards for approval. If a CFH is on probation and a FFA nevertheless determines that the CFH meets all standards for approval as a Resource Family, the FFA must review the Department's Stipulation, Waiver and Order, or Decision and Order, to determine if it includes terms and conditions on a Resource Family Approval. If so, the FFA must incorporate those terms and conditions on the approval. If the Department's Stipulation, Waiver and Order, or Decision and Order, includes probationary terms on the CFH but does not address Resource Family Approval, the FFA should consider incorporating those probationary terms as conditions on the approval. Failure to do so may result in the Department ordering the FFA to do so.

The Resource Family Approval program is a new approval process with new and different continuing requirements for caregivers. It may be helpful to provide information on the changes in caregiver responsibilities to families who are converting to Resource Families.

If you have any questions ***regarding the information in this PIN***, please email the Resource Family Approval ***Policy*** Unit at RFA@dss.ca.gov.